

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47296 of 2018

Arising Out of PS.Case No. -25 Year- 2018 Thana -MALI District- AURANGABAD

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1. Sanjay Kumar Yadav S/o Murari Yadav, resident of Village- Basan Bigha, P.S. Nabinagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Mali P.S. Case No. 25/2018, instituted for the offences punishable under Sections 379, 411/34 of the Indian Penal Code read with Sections 4 and 40 of the BMMC Rule, 1972 as well as Section 15 of the Environmental Protection Act, 1986.

Learned counsel for the petitioner has submitted that the petitioner is owner of the tractor as mentioned at serial no. 2 in the written report. He was not present on the spot. He has clean antecedent.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the



event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Mali P.S. Case No. 25/2018, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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